

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION**

TERRELL REID,

Petitioner,

v.

SCOTT ANDERS,

Respondent.

)
)
)
)
)
)
)
)
)
)

No. 4:23-CV-1085 RLW

MEMORANDUM AND ORDER

This habeas corpus action brought pursuant to 28 U.S.C. § 2241 is before the Court on review of the file. On August 29, 2023, the Court ordered petitioner to either pay the \$5.00 filing fee or file a motion for leave to proceed in forma pauperis by September 19, 2023. After review of the Court file, it appeared that petitioner did not respond to the Court's Order in a timely manner. Because of petitioner's apparent failure to respond, the Court entered an Order of Dismissal on October 3, 2023, pursuant to Rule 41(b) of the Federal Rules of Civil Procedure, for failure to comply with a Court Order.

On the afternoon of October 3, 2023, however, the Court Clerk docketed a receipt for petitioner's \$5.00 filing fee that apparently had been received on September 19, 2023. As such, petitioner timely complied with the Court's Order. The Court will reopen this case and vacate the Order of Dismissal entered on October 3, 2023. By separate Order, the Court will conduct a review of petitioner's application for writ of habeas corpus under § 2241 pursuant to Rule 4 of the Rules Governing Section 2254 Cases in the United States District Courts.

Accordingly,

IT IS HEREBY ORDERED that the Court's Order of Dismissal dated October 3, 2023 [ECF No. 4] is **VACATED**.

IT IS FURTHER ORDERED that the Clerk of Court shall **REOPEN** this case.

IT IS FURTHER ORDERED that by separate Order, the Court will conduct an initial review of petitioner's application for writ of habeas corpus brought pursuant to 28 U.S.C. § 2241 pursuant to Rule 4 of the Rules Governing Section 2254 Cases in the United States District Courts.

A handwritten signature in cursive script that reads "Ronnie L. White". The signature is written in black ink and is positioned above a horizontal line.

RONNIE L. WHITE
UNITED STATES DISTRICT JUDGE

Dated this 6th day of October, 2023.